

June 22, 2011

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VIA HAND DELIVERY

Debra A. Howland
Executive Director & Secretary
NH Public Utilities Commission
21 S. Fruit Street, Suite 10
Concord, NH 03301



Re: DT 09-059, DT 09-113; Performance Assurance Plan and Carrier to Carrier Metrics

Dear Ms. Howland:

In its Procedural Order No. 25, 2011 dated May 6, 2011 ("Procedural Order"), the Commission stated that "an audit of the PAP will . . . provide a basis for determining which metrics should be retained or eliminated from any new PAP"¹ and, therefore, "our audit of the existing PAP will pay particular attention to those elements that are common to the revised PAP FairPoint has proposed. . . . The audit will include each of the metrics proposed in the WPP as well as additional metrics that are important to competition as may be identified by the CLECs."² The Commission solicited written recommendations with the hope of identifying "metrics that are obsolete or no longer relevant or useful as well as . . . those which are most relevant."³

Towards that end, enclosed for filing are an original and seven (7) copies of Northern New England Telephone Operations LLC's ("FairPoint") list of 66 PAP metrics and 11 C2C metrics included in the Simplified Metrics Plan ("SMP") that it has proposed in DT 11-061, and which it recommends be the sole subject of the PAP audit. Furthermore, as an aid in advancing the discussion among the parties, FairPoint also includes for comparison a list of the metrics in the existing PAP, with notations indicating whether the metric is proposed to be included in the forthcoming PAP audit or describing the grounds for omitting it from the proposed SMP/WPP and, in turn, from consideration in the forthcoming PAP audit. These grounds include several categories, such as:

¹ Procedural Order at 22.

² *Id.* at 23.

³ *Id.*

- metrics associated with UNE Platform (“UNE-P”), Line Sharing, and Line Splitting; which FairPoint is no longer required to offer;
- metrics that have been abandoned by the New York C2C Working Group;
- metrics related to Verizon operations support systems for which there is no FairPoint counterpart;
- metrics for products that have had little or no activity;
- redundant metrics;
- metrics with no associated performance standard; and
- metrics that relate to reciprocal obligations of all carriers.

FairPoint has also proposed including 11 non-PAP C2C metrics in its SMP plan and is proposing here that the Commission audit these 11 C2C metrics in addition to the 66 PAP metrics it has identified. This is because each of these metrics, while not reflected separately in the existing PAP, are nonetheless components of “combination” metrics that are unique to the existing PAP.⁴ Please note that this aspect of FairPoint’s proposal is in the interest of simplifying the overall PAP audit, and FairPoint is in no way conceding that the scope of the audit should extend beyond the metrics of the existing PAP itself.

FairPoint will be pleased to explain these recommendations in greater detail at the June 29th Technical Session.

FairPoint also notes that in the Procedural Order, the Commission determined that “[t]hough the audit will evaluate performance from July 1, 2010 through June 30, 2011, the Commission will not apply the results of the audit to activity prior to [January 24, 2011].”⁵ Given this, and that the Commission’s stated objective is forward looking, *i.e.* that the PAP audit will “provide a basis for determining which metrics should be retained or eliminated from any new PAP,”⁶ FairPoint questions the relevance of any data or analysis for any period prior to February 2011. As such, FairPoint respectfully requests that the scope of the PAP audit be narrowed to the period February 1, 2011 to June 30, 2011.

⁴ There are actually 129 C2C metrics that comprise 58 PAP combination metrics. These are described in the comparison list. As with the list of 220 metrics in the existing PAP, the list of 129 C2C metrics that comprise one of 58 PAP combination metric includes notations indicating whether a metric is proposed to be included in the forthcoming PAP audit and/or describing the grounds for omitting it from the proposed SMP/WPP and, in turn, from consideration in the forthcoming PAP audit.

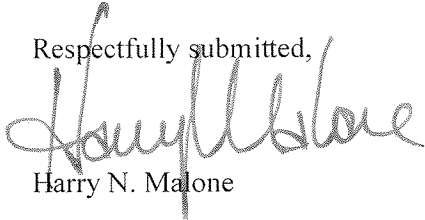
⁵ Procedural Order at 24. As a practical matter, this means that the results will be applied as of the reporting month of February 2011, since PAP metrics and reporting are based on monthly increments and cannot be evaluated on a more granular basis.

⁶ *Id.* at 22.

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A compact disk containing this filing is also enclosed.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Harry N. Malone". The signature is written in a cursive, flowing style with a large initial "H".

Harry N. Malone

HNH:kaa

Enclosures

cc: Electronic Service List